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Consideration of reports: reports submitted by States parties in accordance with articles 16 and 17 of the Covenant

List of issues in relation to the fourth periodic report of the Republic of Korea

Addendum

Replies of the Republic of Korea to the list of issues*

[Date received: 28 July 2016]

Issue 1

1. The second national action plan for human right (NAP) was concluded in 2016 and a comprehensive assessment of its five-year implementation will take place during 2017. In addition to the comprehensive assessment, annual assessments of the progress in the implementation of the NAP have been conducted. Based on the 2015 annual assessment, of the 89 programs on economic, social and cultural rights, 27 were completed, 61 were in progress and one was delayed. With civil society consulted in the process, the third NAP was drafted based on the recommendations of the National Human Rights Commission of Korea (NHRCK) and feedbacks from the relevant ministries and the draft was put to a public hearing in September 2016. The third NAP will be finalized and announced after reflecting the national agenda of the new administration and opinions of the stakeholders.

2. In response to dramatic social changes caused by low fertility and population aging, the key objectives of the third NAP will include strengthening the guarantee of the rights to health, labour, and environments. Policies to ensure civil and political rights, social rights, and protection of the vulnerable, which have long been regarded as important human rights agenda, will be included. The third NAP will thereby reflect the Government's dedication to and specific implementation plans for upholding international human rights norms and establishing a culture of respect for human rights.

3. Following a self-evaluation by the relevant ministries, the progress in the implementation of the NAP is assessed by collecting and combining opinions and evaluations made by a panel of 25 citizens including academic experts and civil activists. The assessment results are published.

* The present document is being issued without formal editing.

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Issue 2

4. Domestic laws provide remedial procedures to address infringements on the rights protected under the Covenant. Judicial remedial procedures include constitutional adjudication by the Constitutional Court on constitutionality of laws or constitutional complaints, administrative litigations, and judicial review of constitutionality or legality of orders or rules in courts. In cases of infringement of basic rights by private persons, criminal and civil procedures are available. Quasi-judicial remedial procedures include seeking administrative appeal and filing petition with the NHRCK. An appeals process under the Constitution and public communication procedures and civil complaints process under the *Administrative Procedures Act* are also available. In addition to these general remedial procedures, specific remedies for infringement of the right to labour, social security, health, education or culture can also be sought by submitting appeal or by mediation of committees set forth under applicable individual law.

5. Article 2 (1) of the *NHRCK Act* defines human right as "any of human dignity and worth, liberty and rights which are guaranteed by the Constitution of the Republic of Korea, and recognized international human rights treaties that the Republic of Korea signs and ratifies and by international customary laws"; hence, the Covenant in itself is in the scope of human rights governed by the NHRCK. However, since Article 30 of the Act limits the matters subject to investigation by the NHRCK to cases where "any of the human rights guaranteed in Articles 10 through 22 of the Constitution has been violated or a discriminatory act has been committed," it is unlikely that the NHRCK has the investigative authority in regard to the Covenant rights or the social basic rights specified in the Constitution. Nonetheless, there is leeway to address individual cases of discrimination against one's exercise or violation of economic, social, and cultural rights through interpretation of Articles 10(the right to pursue happiness) and 11(equality right) of the Constitution.

Issue 3

6. Since the second Basic Plan for Immigration Policy is to come to an end in 2017, a basic research on the achievements and limitations of the Plans since 2008 was conducted in 2016 to guide the third Basic Plan. Based on the study, the relevant ministries are currently in the process of listing policy initiatives for the third plan, which seeks to help immigrants with settlement and integration into the Korean society as democratic citizens; strengthen the guarantee for immigrant children's right to education; develop initiatives to support subsistence and decent living, improve housing conditions, and enhance access to healthcare services; ensure decent working conditions and industrial accident compensation for migrant workers; and strengthen support for workers in agriculture, livestock, and fish industries, for sojourners in entertainment industry, and for victims of sex trafficking, in an effort to implement the recommendations from UN human rights mechanism regarding non-citizens.

7. It is in the authority of the Constitutional Court to clarify, in its judgment for individual cases, the rights universally applicable to individuals and the rights pertaining to citizens. The Constitutional Court of Korea (CCK) has recognized the following rights as applicable to non-citizens in its prior decisions: human worth and dignity in Article 10 of the Constitution and the right to equality in Article 11 (99 Hunma 494 Judgment); freedom of choice of workplace (2007 Hunma 1083 Judgment); right to work and right to claim minimum working condition (2004 Hunma 670 Judgment). The right to trial is also regarded as a right applicable to non-citizens.

8. The right to a life worthy of human beings in Article 34 (1) of the Constitution ensures that citizens have the right to claim from the state a minimum level of goods that is required for a minimum level of living. Some scholars interpret this provision to be equivalent to "the right to lead a life worthy of human dignity" in the Universal Declaration of Human Rights or "the right to an adequate standard of living" in Article 11 (1) of the Covenant. However, the CCK ruled that the legality of such right is recognized only when specified by legislation reflecting various circumstances including fiscal conditions of the

state (2002 Hunma 51 Judgment). Meanwhile, in more concrete terms, the enactment of legislations under Article 34 of the Constitution ensures the protection of incapable persons and entitlement to social security benefits, social insurance, public assistance and social welfare. However, non-citizens are not constitutionally entitled to the right to claim such rights from the state; rather, social security benefits can be provided to non-citizens as a legal right based on concrete laws.

Issue 4

9. The Anti-Corruption and Civil Rights Commission, established for prevention and efficient regulation of corruption, is responsible for developing and managing anti-corruption policies; providing policy recommendations for improving the institutions; performing a review of the existing legislation; measuring integrity and assessing anti-corruption policies of all levels of the government; receiving and processing reports of acts of corruption; protecting and compensating whistle-blowers reporting corruption and/or infringement of public interests; and implementing the Code of Conduct for Public Officials. The Government also takes part in the global efforts against corruption by joining and implementing the UN Convention against Corruption, the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, and G20 Anti-Corruption Action Plan.

10. Integrity education for public officials has been mandatory since 2016. The Commission's Integrity Education Centre offers various training programs, disseminates anti-corruption guidelines, and provides courses on ethical management for private enterprises. The Commission joins hands with civic groups, local organizations, public agencies, and professional associations in the Korean Network for Anti-Corruption and Transparency in its campaign for integrity and transparency.

11. The *Improper Solicitation and Graft Act*, enacted in March 2015, punishes persons who make improper solicitation to public officials and prohibits public officials from receiving money or valuables from others including those unrelated to work and those not seeking reciprocation. Juridical persons including corporations are concurrently punished and held accountable for their employee's act of improper solicitation or graft.

12. The number of prosecutions and sentences passed against high-level officials accused of such conduct is not separately collected. However, the number of cases registered and processed since the enforcement of the *Act on the Protection of Public-Interest Whistle-Blowers* is as follows:

[Table 1] Cases handled under the Act on the Protection of Public Interest whistle Blowers (Unit: person)

		Processed									
		Prosecuted		Not prosecuted							
Jurisdiction	Registered	For trial	For summary decision	Non-charge	Prosecution deferred	Non-charge	No right of investigation	Transferred	Suit of prosecution	Transferred	Investigated
2012	11	0	0	4	0	0	0	0	0	0	7
2013	14	0	0	10	0	0	0	3	1	0	0
2014	28	0	0	3	0	0	0	2	1	1	21
2015	44	0	1	21	0	1	2	11	0	2	6
2016	37	2	1	18	0	0	0	1	0	9	6
May 2017	18	0	3	13	0	0	0	1	0	1	0

Issue 5

13. A research on ratification of the Optional Protocol to the Covenant was completed at the end of 2014. Currently further studies are underway on the measures needed for the ratification, the Committee's decision criteria, and precedents.

Issue 6

14. Appropriation of land is permitted exclusively for public-interest operations, for which the public need is recognized, and not for commercial operations. It is mandated that the opinions of the Central Land Appropriation Committee and landowners are heard before the right to acquire land is granted so as to strictly verify the public nature of the proposed operation and to ensure procedural fairness. It is also obligated that such a public-interest operation seeking to appropriate land must have its project operator engage in a good-faith consultation to specify compensation obligations and that the land, etc. may be expropriated or used only when an agreement is not reached among the relevant parties.

15. A national contact point (NCP) was established within the Ministry of Trade, Industry and Energy in December 2000 and started operation in May 2001. It is committed to a fair implementation of the OECD Guidelines for Multinational Enterprises, and encourages multinational companies, through responsible business management, to follow ethical standard for respect for human rights and compliance with regulations related to labour, environments, and consumer protection and, thereby, to contribute to economic and social development and protection of environment. Upon the NHRCK's recommendation regarding the composition of the members, the NCP was restructured several times to have representatives in the public and private sectors, Cooperate Social Responsibility experts, and labour and arbitration experts. In March 2017, the Government applied for OECD peer-review, which is expected to take place in 2019.

Issue 7

16. The total official development assistance (ODA) of 2015 was USD 1.92 billion or 0.14% of GNI and has grown at an annual average rate of 10.2% since 2011, thanks to the commitment of the Government to expansion of ODA despite external and internal economic challenges. The Second Basic Plan for International Development Cooperation (2016-2020) specifies further expansion of ODA to 0.2% of GNI by 2020 and to 0.3% of GNI by 2030, an average of DAC economies.

17. As for bilateral grants, the First Basic Plan for International Development Cooperation (2011-2015) allocated approximately 40% of bilateral grants to the least developed countries and countries in conflict and/or vulnerable circumstances. The Second Basic Plan specifies a similar level of ODA with more grants for the least developed countries.

[Table 2] Bilateral grants for the least developed countries

	2009	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*
Bilateral grants to least developed countries (USD million)	86.5	207.0	157.6	246.8	313.9	295.0	316.6
Percentage of total bilateral grants (%)	23.6	36.1	27.4	34.5	38.8	33.4	34.9

Issue 8

18. Bills on general anti-discrimination had been tabled several times in the past: two bills, including the one by the government and the other by the members of the Assembly, in the 17th National Assembly (2004-2008), two in the 18th National Assembly (2008-2012), and three in the 19th National Assembly. However, these bills were discarded without deliberation. In light of the social controversies over the prohibited grounds of discrimination including sexual orientation, further in-depth discussions and research are required.

Issue 9

19. Statistical data on refugee applicants disaggregated by sex, age, and country of origin on refugee applicants from November 2009 to May 2017 is as follows:

[Table 3] Refugee applications

	Total		*Ages 0-4*		*Ages 5-17*		*Ages 18-59*		*Age 60 or above*	
Classification	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*
Pakistan	3 486	191	20	16	34	40	3 412	132	20	3
Egypt	2 633	124	17	19	25	20	2 586	85	5	0
China	1 605	877	2	1	9	7	1 568	838	26	31
Syria	998	294	58	57	70	79	868	152	2	6
Nigeria	1 194	95	22	11	10	5	1 157	78	5	1
Others	9 778	2 424	121	137	157	114	9 463	2 165	37	8
Total	**19 694**	**4 005**	**240**	**241**	**305**	**265**	**19 054**	**3 450**	**95**	**49**

[Table 4] Refugee recognition

	Total		*Ages 0-4*		*Ages 5-17*		*Ages 18-59*		*Age 60 or above*	
Classification	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*
Myanmar	96	65	9	7	20	14	64	43	3	1
Ethiopia	52	25	0	2	1	1	51	22	0	0
Bangladesh	34	37	3	13	6	4	25	20	0	0
Pakistan	26	22	1	1	8	11	16	10	1	0
Iran	23	7	0	1	2	1	21	5	0	0
Others	90	69	8	13	19	12	63	43	0	1
Total	**321**	**225**	**21**	**37**	**56**	**43**	**240**	**143**	**4**	**2**

[Table 5] Humanitarian status holders

	Total		*Ages 0-4*		*Ages 5-17*		*Ages 18-59*		*Age 60 or above*	
Classification	*M*	*F*	*M*	*F*	*M*		*M*	*F*	*M*	*F*
Syria	796	237	44	43	61	68	690	120	1	6
Pakistan	15	12	0	2	3	4	12	6	0	0
Myanmar	11	12	0	0	0	2	10	10	1	0
China	12	10	1	1	2	2	7	4	2	3
Iraq	15	5	2	0	4	2	9	3	0	0
Others	73	64	6	4	17	15	49	44	1	1
Total	**922**	**340**	**53**	**50**	**87**	**93**	**777**	**187**	**5**	**10**

[Table 6] Refugee non-recognition

	Total		*Ages 0-4*		*Ages 5-17*		*Ages 18-59*		*Age 60 or above*	
Classification	*M*	*F*	*M*	*F*	*M*		*M*	*F*	*M*	*F*
Pakistan	2 301	72	9	8	10	12	2 271	52	11	0
Egypt	1 854	82	11	10	15	17	1 826	55	2	0
China	802	538	0	0	3	1	779	522	20	15
Nigeria	988	75	15	8	8	4	957	62	8	1
Nepal	511	82	0	0	0	0	510	81	1	1
Others	4 698	951	50	48	54	45	4 574	854	20	4
Total	**11 154**	**1 800**	**85**	**74**	**90**	**79**	**10 917**	**1 626**	**62**	**21**

20. The average waiting time for refugee status determination stands at 13.5 months during the period between November 2009 and May 2017. For refugee status applicants, Articles 40 through 43 and Article 45 of the *Refugee Act*, and Article 18 of the Enforcement Decree provide for support for living expenses, residential facilities, medical service, and education, for operation of refugee support centre, and for employment permit. Articles 30 through 37 of the Act stipulate social security, basic livelihood security, education, social integration programme, recognition of academic and professional credentials, and permission for entry of spouses of recognized refugees. The treatment of humanitarian status holders is prescribed under Article 39 of the Act.

Issue 10

21. According to the 2016 survey on employment of foreigners, a total of 143,000 marriage migrants are yet to acquire Korean nationality. Their economic participation rate was 55.7%, employment 52.3% and unemployment 6.1%. According to the 2015 National Survey of Cross-Cultural Families, which includes both marriage migrants and naturalized persons married to Korean nationals, the employment rate of marriage migrants and naturalized persons is 63.9% (59.5% for female and 83.4% for male), while that of Korean nationals in 2015 was 55.7% for female and 75.7% for male. In terms of the sectors of employment for marriage migrants and naturalized persons, manual labour accounted for the largest share (29%) followed by service work (18.7%). Their self-perceived social status in the society was mostly mid-to-low, as answered by 33.3% of the respondents.

22. Foreigners married to Korean nationals can acquire permanent residence status if they meet the requirements specified in the *Enforcement Decree of the Immigration Control Act*. The applicants must hold a sojourn status, issued to marriage migrants, with a continuous residence in Korea for at least two consecutive years at the time of the application. With this requirement fulfilled, if the applicant is deemed to have the ability to

support oneself either by one's asset, skills, or family living together, and to have basic knowledge as a Korean national such as Korean language proficiency and understanding of Korean custom the permanent residence status is granted after the final review by the Minister of Justice. Foreigners can also acquire Korean nationality if they meet the relevant requirements under Articles 5 (general naturalization) or 6 (facilitated naturalization) of the *Nationality Act*. The facilitated naturalization, designed for marriage migrants, is applicable for a foreigner whose spouse is Korean national, to whom he/she is being married to, having a continuous residence in Korea for at least two consecutive years; or for a foreigner having been married to a Korean national for three or more years, with a continuous residence in Korea for at least one year consecutively, while being married to the spouse. With these requirements fulfilled, the applicant must also be an adult under the *Civil Act*, a man of good conduct, deemed to have the ability to support oneself either by one's asset, skills, or family living together and to have basic knowledge as a Korean national such as Korean language proficiency and understanding of Korean custom. As of the end of 2016, 43.0% of the immigrants by marriage have attained Korean nationality, while 18.1% of those who have not attained the Korean nationality hold permanent residence status.

Issue 11

23. The right to equality for all is enshrined in Article 11 of the Constitution, under which unfair discrimination on any ground is prohibited. Meanwhile, sexual orientation and gender identity are explicitly stated as prohibited grounds of discrimination in the *NHRCK Act*, under which remedial procedures are provided in the case of discrimination against LGBTs. Moreover, criminal punishment and civil indemnification may be imposed on perpetrators of violence or insult, if such acts constitute crimes under the *Criminal Act*. There has been an ongoing discussion for the past 10 years on the need for legislation, such as anti-discrimination law, which provides clear definitions on prohibited grounds and areas of discriminations, and remedial procedures, but social controversies regarding the legislation, including the issue of whether to include sexual orientation in the list of prohibited grounds of discrimination, have continued. The Government has been conducting research on the cases of legislation and court rulings in other countries.

Issue 12

24. Since 2012, the Gender Impact Analysis, which analyses and assesses the impact of a policy based on gender, has been expanded to all new legislations, legal amendments and key government programs, increasing the volume of analysis from 14,792 laws/programs in 2012 to 34,484 in 2016. In addition, the Specific Gender Impact Analysis has been made applicable to all active laws to enhance the effectiveness of gender equality policies. The result of the Analysis has been made public since 2014 and a public-private consultation has been in operation from 2015.

25. The *Public Official Election Act* stipulates that parties should nominate 50% or more female candidates in elections for proportional representative members in the National Assembly and 30% or more of all local constituencies in elections for local constituency-based National Assembly seats. This revision has dramatically increased female representation in politics. Furthermore, targets have been established for having more women in decision-making positions in key sectors, such as public offices, public organizations and teaching profession. Progress against the targets is reviewed in each sector twice a year and reported to the Gender Equality Committee, which provides feedback to the relevant organizations for improvement. This process has been effective in achieving targets each year. Meanwhile, the *Framework Act on Gender Equality*, amended in its entirety in July 2015, stipulates that a specific gender shall not account for more than 60% of the membership in the government committees and that gender balance shall be achieved among the appointed heads of the central and local governments and public organizations. These measures seek to increase the representation of women across all sectors of the society.

[Table 7] Elected female members of the National Assembly (2000-2016)

	Total members			*Local constituencies*			*Proportional representatives*		
Classification	*Total*	*Women*	*%*	*Total*	*Women*	*%*	*Total*	*Women*	*%*
16th Assembly (2000)	273	16	5.9	227	5	2.2	46	11	23.9
17th Assembly (2004)	299	39	13.0	243	10	4.1	56	29	51.8
18th Assembly (2008)	299	41	13.7	245	14	5.7	54	27	50.0
19th Assembly (2012)	300	47	15.7	246	19	7.7	54	28	51.9
20th Assembly (2016)	300	51	17.0	253	26	10.2	47	25	53.1

Source: National Election Commission, Election Statistics.

[Table 8] Representation of women in public sectors (2012-2016)

						2016		
Classification		*2012*	*2013*	*2014*	*2015*	*Target*	*Actual*	*2017(Target)*
Public offices	Government committee members	25.7	27.7	31.7	34.5	37.0	37.8	40.0
	Grade 4 or higher public officers	9.3	9.9	11.0	12.1	13.5	13.5	15.0
	Principals, vice-principals in public schools	24.6	27.2	29.4	34.2	34.9	37.3	38.0
Military & Police	Military officers	7.8	6.2	6.6	7.0	7.1	7.1	7.2
	Police officers	7.5	7.8	9.0	9.9	-	10.6	10.0
	Coast guards	8.7	8.8	9.3	10.0	-	10.8	10.0
Managers in public organizations		11.5	13.0	14.8	16.4	16.8	17.2	18.8

26. The *Framework Act on Gender Equality*, while emphasizing the equal relations between men and women, takes a women-friendly appoach in areas such as economic activities and decision-making where women still suffer rom inferior status. The Act also addresses men-specific issues, such as supporting men for work-family balance and protecting paternal rights of single fathers. The Government has established a framework for policy initiatives by developing the Basic Plan for Gender Equality Policies, conducting baseline studies and defining the government's obligation for gender mainstreaming.

Issue 13

27. Unemployment rates between 2012 and 2016 are tabled as below. The statistics disaggregated by ethnic origin are not available.

[Table 9] Unemployment rates by sex, age and geographic location (Statistics Korea, Economically Active Population Survey)

Classification		*2012*	*2013*	*2014*	*2015*	*2016*
Total		**3.2**	**3.1**	**3.5**	**3.6**	**3.7**
Sex	Male	3.4	3.3	3.6	3.7	3.8
	Female	3.0	2.9	3.5	3.6	3.6
Age	15-29	7.5	8.0	9.0	9.2	9.8
	30-39	3.0	3.0	3.1	3.1	3.2
	40-49	2.0	2.0	2.2	2.3	2.1
	50-59	2.1	1.9	2.2	2.4	2.3
	60 and above	2.4	1.8	2.3	2.5	2.6
Geography	Seoul	4.2	4.0	4.5	4.2	4.3
	Busan	3.9	3.8	3.8	4.1	3.9
	Daegu	3.3	3.3	3.9	3.5	4.2
	Incheon	4.5	4.2	4.7	5.1	4.9
	Gwangju	2.7	2.9	2.8	3.0	3.1
	Daejeon	3.7	3.1	3.4	3.5	3.3
	Ulsan	2.6	2.1	2.7	2.9	3.8
	Gyeonggi	3.3	3.0	3.4	3.9	3.9
	Gangwon	2.5	2.4	3.1	3.3	2.9
	Chungcheongbuk-do	2.0	2.1	3.0	2.6	2.6
	Chungcheongnam-do	2.3	2.8	3.4	3.5	3.1
	Jeollabuk-do	2.0	2.0	2.5	1.7	2.1
	Jeollanam-do	1.6	2.1	2.9	2.5	3.0
	Gyeongsangbuk-do	2.5	3.1	2.9	3.1	3.2
	Gyeongsangnam-do	1.9	2.1	2.5	2.6	3.3
	Jeju-do	1.6	1.8	2.0	1.9	2.2

[Table 10] Unemployment rates among migrants (Statistics Korea, Survey on Status of Sojourn and Employment of Immigrants)

	2012	*2013*	*2014*	*2015*	*2016*
Unemployment rate	4.0	4.2	4.9	4.9	4.2

[Table 11] Unemployment rates by disability type (Korea Employment Agency for the Disabled, Survey on Economic Activities of Disabled Persons)

	2013	*2014*	*2015*	*2016*
Total	**5.9**	**6.6**	**7.9**	**6.5**
Physical disability	4.3	6	7.3	5.7
Disability of external organs	9.1	10.1	11.7	11.8
Visual impairments	8.6	6.8	7.5	5.8

	2013	2014	2015	2016
Non-visual sensory impairments	4.1	8.1	7.1	6.5
Mental disability	16.9	7.7	13.9	11.6
Disability of internal organs	8.5	9.2	8.3	9.7

Issue 14

28. Article 7 of the *Labour Standard Act* prohibits forced labour, and Article 64 bans employment of all persons under the age 15. An employer who violates Article 7 of the Act shall be subject to imprisonment of not more than five years or a fine not exceeding KRW 30 million.

29. Regional employment and labour offices guide and inspect workplaces in their respective jurisdictions on a regular/ as-needed/ planned basis to prevent forced labour. Anyone including victims can file anonymous reports of workplace violations. If damages are confirmed to have occurred from forced labour, the employer concerned shall pay the victim all and any compensation for labour, including wages, or be subject to criminal punishment if he/she fails to make the payment. The victim may file a civil claim for compensation for psychological and physical damages.

Issue 15

30. To improve the effectiveness of the correction system for discriminatory practices by the Labour Relations Commission, the *Act on the Protection of Fixed-term and Part-time Workers* was amended in 2014, adopting an order for punitive damages. The amendment expanded the intended beneficiaries, by including the non-regular workers in the same labour to the scope of the corrective orders in addition to the affected worker and extended the scope of the corrective orders to call for institutional improvement in employment rules and in collective bargaining agreement, so as to uproot discrimination. The amendment also made it mandatory to check for discrimination against non-regular workers in all labour inspections starting 2016. In addition, the Guidelines for Employment Security for Fixed-term Workers have been enforced since April 2016.

31. Wages and insurance and insurance benefits for fixed-term and part-time workers are as follows.

[Table 12] Total hourly wages by type of employment (unit: KRW)

Classification	2014	2015	2016
Total workers	16 701	15 978	16 709
Regular workers	18 426	17 480	18 212
Fixed-term workers	11 872	11 575	12 028
Part-time workers	11 603	11 524	11 270

[Table 13] Social insurance coverage by type of employment (unit: percentage)

	Employment insurance		*Health insurance*		*National pension*		*Industrial accident insurance*	
Classification	*2015*	*2016*	*2015*	*2016*	*2015*	*2016*	*2015*	*2016*
Total workers	89.3	90.7	88.4	89.7	88.7	90.1	97.6	98.1
Regular workers	95.4	95.7	97.9	98.3	97.8	98.2	98.0	98.3
Fixed-term workers	87.0	86.9	92.6	94.9	88.5	89.7	98.3	98.8
Part-time workers	65.0	69.0	59.6	65.6	56.4	63.7	94.2	95.5

32. Labour relations laws are applied to migrant workers in the same manner as are applied to Korean workers. However, due to the nature of agricultural work, certain provisions of the *Labour Standard Act* concerning wages, working hours and rest arrangements are not applied to the agricultural sector. Hence, employers in the agricultural sector are required to provide the Standard Employment Contract, which specifies wages, prescribed working hours, holidays, rest hours, and deduction of the costs of accommodation and meals, to migrant workers for their understanding prior to signing individual labour contracts. Guidelines for labour contracts were established in October 2015 pursuant to the Standard Employment Contract and have been informed and promoted to employers. The employers with a good record of compliance receive incentives, such as priority placing of migrant workers.

33. With approximately 3,000 workplaces that hire migrant workers receiving guidance and labour inspections every year, 30% of them are allocated to the workplaces in the agricultural and livestock sector since 2016. Survey of accommodation facilities has also been in place since 2013 and employers who offer high quality facilities receive higher points in the placement scheme. Meanwhile, migrant workers are educated on relief procedures and instructions related to violence or sexual harassment. Employers are also educated on the labour laws and labour rights and penalty points are significantly increased for the infringement so as to effectively bar them from employing new migrant workers.

Issue 16

34. The following table shows the percentages of total wage workers who work below the minimum wage line.

[Table 14] Minimum wage violations per year (Unit: KRW, 1000 persons, %)

Year	*Minimum wage (hourly)*	*Total wage workers*	*Workers under the minimum wage*	*Percentage of workers under the minimum wage*
2015	5 580	14 670	915	6.2
2014	5 210	13 962	687	4.9
2013	4 860	13 971	558	4.1
2012	4 580	12 971	506	3.9
2011	4 320	12 588	767	6.1
2010	4 110	11 889	941	7.9

* *Source*: Ministry of Employment and Labour, Survey of Working Conditions by Type of Employment

35. Since 2013, the Minister of Employment and Labour has been urging the Minimum Wage Council to raise the minimum wage to a reasonable level, given the economic growth rate, inflation and the rationale that a higher minimum wage improves the distribution of income. The minimum wage level has rapidly risen as the Minimum Wage Council, consisting of worker councillors, employment commissioners and public interest commissioners, raised the minimum wage by 7-8% in the recent years.

Issue 17

36. The gender wage gap widens significantly when women, in their 30s, re-enter the labour market after leaving work for childbirth and childcare, most likely due to their employment in low-paid and non-regular jobs. The Government has introduced various schemes including a childcare leave, a part-time work scheme, and flexible working hours, and specified the principle of equal pay for equal work in the *Equal Employment Opportunity and Work Family Balance Assistance Act*, along with the provision for criminal punishment of violating such principle by imprisonment of not more than three years or a fine not exceeding KRW 20 million.

37. Thanks to the above measures, female employment rate has increased from 53.9% in 2013 to 56.2% in 2016, while the number of women who quit their jobs decreased from 2.1 million in 2015 to 1.906 million in 2016. The number of workplaces adopting the part-time work scheme and the number of workers applying for the scheme increased by 16-fold and by 10-fold respectively, between 2013 and 2016. Quality of work has also improved as illustrated by an increase in the hourly wage from KRW 7,753 in 2013 to KRW 9,986 (166% of the minimum wage) in 2016. Under the policy of supporting employers who adopt flexible working hours, 1,307 workers across 210 workplaces have benefited from the scheme by April 2017. Starting from 2017, financial assistance is provided for building an infrastructure enabling work-from-home or remote-work. In addition, the Government formed the Private-Public Committee for Work Family Balance in 2016, consisting of experts from the government, economic institutions, and civil society for raising awareness and discussing policy improvements. The Committee's Ten Suggestions for Workplace Innovation were adopted by 449 workplaces including local enterprises, local governments, and economic associations.

38. As for the Certification of Family-Friendly Businesses, various activities are underway, including promoting the scheme, providing consultation to employers, training the certified businesses and building the Family-Friendly Forum. A book of best practices has also been published. As a result, the number of certified businesses jumped from 14 in 2008 to 1,528 as of June 2017.

Issue 18

39. Official statistics are not available for the scope of the informal economy due to its nature. However, the untaxed underground economy is estimated to be 8% of the national GDP according to the Korean Institute for Public Finance. Informal employment accounted for 40.2% of the total wage/salary workers according to the 2011 survey.[1]

40. Most domestic workers are middle-aged and low-paid workers providing labour in suboptimal working conditions. Recognizing the various limitations in the informal childcare domestic work brokered by private agents, a new law, the *Act on Improvement of Employment of Domestic Workers* will be enacted to formalize the paid domestic work and to set the bar for working conditions for domestic workers.

41. Since the 2011 Comprehensive Measures for Non-regular Workers, the total hourly wage of non-regular workers has increased in both absolute and relative terms, with the relative percentage of total non-regular wages versus total regular wages increasing from 61.3% in 2011 to 66.3% in 2016. The Comprehensive Measures give labour inspectors the authority to guide and inspect workplaces on any acts of discrimination; expand social

[1] Korea Labour Institute, Informal Employment Survey, 28 December 2012.

safety net by providing low-paid workers in small workplaces with financial support employment insurance and the national pension scheme; protect working conditions; facilitate the conversion of non-regular workers to a regular status; establish a policies for non-regular workers in the public sector; and encourage voluntary formation of a collaborative spirit between the labour and the management.

42. In line with the Guidelines on Job Security of Fixed-term Workers in April 2016, the Government has guided employers, who hire large numbers of fixed-term workers, to improve their employment structure, concluded compliance agreements with employers, and instructed employers, through labour inspections, to revise the contracts for the fixed-term workers into open-ended employment agreements and to prevent unreasonable discrimination.

43. The Supreme Court's 2007Do1729 Judgment recognizes the fixed-term workers' right of reasonable expectation for renewal of the employment contract, despite the absence of specific provisions pertaining to such, considering various elements and circumstances including the content, process and motive of the fixed-term agreement, criteria for renewal and the nature of the work. The Government has since referred to the ruling in its administrative guidance to workers, who were denied renewal of the contract despite their right of reasonable expectation for such, to file for a remedy in the Labour Commission and/or to file a lawsuit claiming nullification of the dismissal.

Issue 19

44. The authority of conducting workplace inspections lies with the Ministry of Employment and Labour. The inspections were conducted on 19,791 workplaces in 2015 and 22,161 workplaces in 2016 across different sectors and industries. Further inspections were performed in internet cafes, game/entertainment, and distribution and franchise sectors to assess, in particular, their compliance with the minimum wage regulations. With the use of big data in inspections, the number of findings increased from 26,970 in 2015 to 48,319 in 2016. Employers of domestic workers are excluded from the *Labour Standards Act* pursuant to its Article 11 and thus are not subject to workplace inspections.

45. Employers are first ordered to take corrective actions for violations found in the inspections. Should they fail to take the actions, judicial measures or penalty charges are imposed in accordance with the relevant laws.

46. The *Occupational Safety and Health Act* has been in place since 1981 to protect workers' health, to improve working conditions, and to prevent risks related to machines, equipment, facilities and chemicals. Preventive measures were strengthened in 2016 with the introduction of a health and safety manager system in workplaces including those with 50 or less workers, which account for over 80% of all industrial accidents. The Act was amended in 2017 to the effect that, when the workers of a subcontractor work in the same workplace as the workers of a contractor, the contractor's report on the statistics of industrial accidents must include the number of accidents that occurred to the subcontractor. Concealing information on workplace accidents is subject to criminal punishment under the new amendment.

47. Legal and administrative efforts are taken through workplace guidance and inspections to ensure that occupational health and safety education, information and protective gears are disseminated to the workers. In addition, occupational health and safety consultative bodies were established at a regional level for improving the awareness of employers and workers in this regard. Occupational safety and health trainings are provided; information is developed and disseminated; and broader reach-out initiatives are underway using SNS channels.

[Table 15] Workplace guidance and inspections in the last two years (Unit: Workplace, KRW million)

	Inspected	Non-compliant	Guidance recipients	Penalty charges: No. of employers	Penalty charges: Amount	Suspension of work	Suspension of use	Corrective measures	Order for safety improvement	Improvement plans
2015	26 797	16 680	2 667	11 857	22 767	1 174	480	12 894	999	938
2016	26 920	18 426	4 285	13 051	24 989	2 047	471	14 971	657	885

[Table 16] Education and awareness programs in the last two years (Unit: person, session)

	Awareness-raising: No. of employers	Awareness-raising: No. of workers	Dissemination of safety information: Types of content	Dissemination of safety information: Number	Reach-out (IT and media): IT	Reach-out (IT and media): Radio	Reach-out (IT and media): Newspapers	Reach-out (IT and media): Newspaper advertisements
2015	76 804	569 110	621	1 272 600	1 460	1 558	884	146
2016	120 620	571 409	635	827 080	2 207	2 772	975	148

Issue 20

18. Sexual harassment in the workplace is deemed as an act of discrimination. Any act of sexual harassment that constitutes crimes under the *Criminal Act* is subject to criminal punishment. Article 12 of the *Act on Equal Employment* prohibits sexual harassment in the workplace by employers, managers or workers and imposes a penalty charge not exceeding KRW 10 million for sexual harassment by employers. For perpetrators other than employers, the Act mandates immediate measures be taken including disciplinary actions and imposes a penalty charge, if such measures are not implemented. Meanwhile, victims may file a petition against perpetrators and employers with the NHRCK or file a civil lawsuit for indemnification. Employers who dismiss or take other unfavourable actions against victims are subject to imprisonment of not more than three years or a fine not exceeding KRW 20 million. Dismissing or taking other unfavourable actions against victims for claiming sexual harassment by customers or for not responding to sexual demands by customers is also prohibited.

19. Under the *NHRC Act*, in the cases which are investigated and recognized as sexual harassment by the NHRCK, the remedies defined in the Act may be recommended. The NHRCK may recommend compensations for psychological and financial distress caused by sexual harassment. Compensations may also be made through agreement or conciliation between the concerned parties. The NHRCK may also recommend employers to take disciplinary personnel measures and impose special human rights education for perpetrators. Statistics on remedies taken in sexual harassment cases pursuant to the *NHRC Act* from 2001 to the end of 2015 are provided below.

[Table 17] Remedies taken in the cases settled between the parties

Classification	Apology, cessation of harassment	Indemnification	Special human rights education	Personnel decisions (disciplinary, transfer, training, counsel, etc.)	Others	Total
No. of cases	149	117	52	6	16	340
Percentage (%)	43.8	34.4	15.3	1.8	4.7	100.0

[Table 19] Settled amounts of indemnification

Amount (KRW)	Under 500,000	Under 1 million	Under 2 million	Under 3 million	Under 5 million	Under 10 million	Under 20 million	Under 100 million	Over 100 million	Total
No. of cases	16	13	28	20	19	15	6	3	1	117

[Table 19] Remedies taken in the cases mediated for the parties

Classification	Apology	Indemnification	Special human rights education	Discipline of responsible [illegible]	Total
No. of cases	12	11	5	2	30
Percentage (%)	40.0	36.7	16.7	6.7	100.0

[Table 20] Amounts of indemnification by conciliation

Amount (KRW)	Under 500,000	Under 1 million	Under 3 million	Under 5 million	Under 10 million	Total
No. of cases	6	6	2	2	2	11

Issue 21

90. Article 33 (1) of the Constitution and Article 5 of the *Trade Union and Labour Relations Adjustment Act* stipulate the freedom to organize a trade union. A trade union fulfilling requirements under the Articles 2 (4) and 10 of the Act is granted a legal status and may work as an independent organization representing its workers. Meanwhile, an organization shall not be regarded as a trade union under Article 2 (4) of the Act in any of the following categories: (1) if it grants membership to a person who always act in the employer's or his interests; (2) if most of its expenditure is supported by the employer; (3) if its sole purpose is to provide mutual benefits, moral culture and other welfare undertakings for its members; (4) if it grants membership to a person other than a worker provided that an dismissed person, who has filed for remedy with a Labour Relations Commission, shall not be deemed as a non-worker until the decision on re-examination is taken by the National Labour Relations Commission; (5) if its aim is mainly directed at political movements. Article 10 of the Act stipulates that a person who intends to establish a trade union shall submit to the competent authority a report containing all of the following: name of the union, address of the main office, number of its members, name(s) and address(es) of the its officials, name of an associated organization, if any, and for an associated organization, name of the constituent organizations, number of its members, address of its main office, and name(s) and address(es) of its officials with the bylaws attached.

91. Given their special status and public nature of their work, Grade 5 or higher public officials and Grade 6 or lower public officials who assume such responsibilities as commanders, supervisors, fire fighters, and policemen, etc. are restricted from joining trade unions. Matters related to policy decisions that are not directly relevant to their working conditions and those related to management and operation of an organization are excluded from the scope of bargaining. Collective agreement is not recognized in such matters defined by regulations and budget. The right to industrial action is restricted for public officials, based on concerns that significant infringement of public interest might result from the collective actions, and that alternative measures are difficult to find in case of disruption of administrative services.

92. The restriction of union membership to incumbent teachers under the current *Act on the Establishment and Operation of Labour Union of Teachers* is an outcome of a long public discussion at the time of the legislation. The issue of whether to grant membership to

non-incumbent teachers such as those dismissed calls for an extensive collection of public opinions and societal discussions.

53. Essential businesses refer to the essential public service businesses, suspension or discontinuation of which may seriously jeopardize life, health, physical safety or daily activities of the general public. Actions that suspend, discontinue, or disrupt the lawful maintenance and operation of these businesses constitute industrial actions and are thus prohibited. The parties of labour relations in such essential businesses must conclude, through voluntary collective bargaining, an agreement which stipulates the minimum level of standard, duties, and staffing required for reasonable maintenance and operation of the businesses during industrial actions. In the event of a failure to conclude such agreement, the Labour Relations Commission may make a decision at the request of the parties. The new scheme was developed as a response to the criticism that the previous Compulsory Arbitration System severely restricts the right to strike. Tripartite consensus has been reached on replacing the Compulsory Arbitration with the Essential Business System, which seeks to achieve a balance between the right to strike and the public interest. Under the new scheme, strikes are allowed on principle in essential public service workplaces, which significantly enhanced workers' right to collective action. The table below shows the number of strikes in public service workplaces between 2007 and 2016. The Essential Business System was introduced in 2008.

[Table 21] Strikes in public service workplaces (Unit: workplace)

Classification	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	*2016*
Workplaces where a strike occurred	3	2	14	3	3	8	6	6	4	17
Essential public service workplaces	2	0	8	1	1	4	4	4	4	9

Issue 22

54. Under the National Basic Livelihood Security System, the households under 30% of the median household income have access to subsistence benefits, under 40% medical benefits, under 43% housing benefits, and under 50% education benefits. As of December 2016, the total number of beneficiaries stood at approximately 1.63 million or 3.18% of the total population.

[Table 22] Number of beneficiary Households by type (Unit: household, %)

Household type	*Total*	*General households*	*Households of older persons*	*Households with disabilities*	*Single parent households*	*Households composed of teenagers*	*Households headed by grandparents*	*Others*
Number of households	1 035 435	328 282	261 680	193 585	170 030	4 324	7 621	69 272
%	100	31.7	25.3	18.7	16.4	0.4	0.7	6.7

55. The basis of the eligibility formula for the National Basic Livelihood Security benefits has changed in July 2015 from a minimum cost of living to a certain percentage of median income. The change was made in response to the criticism that the previous scheme disincentivized people from seeking gainful employment and working toward self-reliance, as any income that technically exceeds the minimum cost of living would disqualify them from all types of benefits, and that the strict definition of obligatory support providers denied benefits to the households which would otherwise qualify. The new system stratifies eligibility by benefit type and uses a relative poverty line — a shift from calculating a market-basket minimum cost of living to using a standard median income which reflects the median of national household income, average growth rate of the household income and

income variations by household size. Other changes include: non-succession of the legal status as an obligatory provider by the surviving spouse of an adult child, who had been the obligatory provider for his/her parent(s) in the event of his/her death; higher income cut-off for obligatory providers to a level where they can still maintain median income while financially supporting the beneficiaries; and higher income cut-off for the obligatory providers who have a family member with severe disabilities. Meanwhile, under the new scheme, recipients of education benefits are not obligated to meet the requirement of obligatory supporter criteria.

Issue 23

56. The amendment to the *National Pension Act* in May 2016 allows insured individuals to pay retrospective contributions for the period during which they had lost the insured status. This restores the insured status and lengthens the duration of entitlement to the National Pension for full-time homemakers who had lost their status upon leaving employment for marriage, etc., giving them the right to pension benefits and a chance to receive higher amount of benefits. Since this measure has taken effect on 30 November 2016, data is not available regarding the actual impact of the amendment.

57. The national pension scheme was first introduced in 1988 as a public pension designed to secure a certain standard of living for citizens in events of discontinuation or loss of income caused by social risks, including old age, disability, death, etc. As of the end of 2016, approximately 2.66 million people, or 38.0% of the population aged 65 or above (total 6.99 million), are benefiting from the national pension scheme. The proportion of beneficiaries among the old population (aged 65 or above) has been increasing (from 25.9% in 2010 to 38.0% in 2016). The number is expected to exceed 50% by 2030, according to the long-term projection by the National Pension Research Institute.

58. Meanwhile, the Basic Pension Scheme was introduced in July 2014, replacing the previous old-age pension, designed to secure stable livelihood and improve welfare, via a fixed source of income, for persons aged 65 or above who are in the bottom 70% of the income. As of the end of 2016, approximately 4.58 million people, or 65.6% of the population aged 65 or above, are benefiting from the basic pension scheme. The elderly who receives benefits from both national and basic pension schemes amounts to approximately 1.54 million persons, accounting for 33.6% of the total beneficiaries of basic pension.

Issue 24

59. The statistics of domestic violence cases are provided below. Disaggregated data is not available.

[Table 23] Domestic violence cases registered to the prosecution

			Prosecuted					
Year	*Registered*	*Total disposition*	*For trial*	*For summary judgment*	*Not prosecuted*	*Transferred to family protection cases*	*Others*
2012	3 154	3 159	116	353	2 086	629	55
2013	17 191	17 131	967	1 607	10 080	4 238	239
2014	23 527	23 457	1 270	1 855	12 688	7 185	459
2015	47 007	46 545	1 748	2 222	23 437	18 207	931
2016	54 191	53 237	1 793	2 734	27 273	20 311	1 126

60. Since the 2013 Comprehensive Measures to Prevent Domestic Violence, preventive education has been mandated for a wider range of organizations along with public campaigns for eradication of domestic violence, which resulted in improved social awareness of domestic violence as crimes. In addition, frontline measures have been

strengthened: arrangement of dedicated police officers to domestic violence cases, legal provision of the on-scene access and investigative rights of the police and sanctions for those who deny these police rights and punishment for those who violate an emergency temporary measure. Currently, each police station is supported by a pool of experts from local governments, domestic violence counselling centres, protection facilities, medical institutions, and legal aid institutions in their active efforts to reduce recidivism. As a result, the number of reports of domestic violence has increased from 161,900 cases in 2013 to 264,528 cases in 2016.

[Table 24] Arrests and recidivism of domestic violence (NPA)

Year	*Arrests (cases)*	*Recidivism (%)*
2012	8 762	12.2
2013	16 785	11.8
2014	17 557	11.1
2015	46 822	4.9
2016	45 614	3.8

Issue 25

61. The following table shows the statistics of the criminal cases, handled by the prosecution, which constitute trafficking in persons under the *Criminal Act*, the *Act on the Protection of Children and Juveniles Against Sexual Abuse* and the *Act on the Aggravated Punishment, Etc. on Specific Crimes*. The trend does not show significant changes since the 2013 amendment to the Criminal Act, partly because various forms of trafficking in persons, including abduction and kidnapping, had already been subject to punishments under the Criminal Act. The 2013 amendment further specified the purposes of abduction, kidnapping, etc. such as exploitation of labour, sexual traffic, sexual exploitation, organ harvesting, etc., and added a separate provision, under which an act of complicity or aid, such as recruiting, movement, and delivery, may be subject to strong punishments as a separate crime.

[Table 25] Cases of Trafficking in Persons

Year	*Registered*	*Dispositions*	*Prosecuted*	*Non-prosecuted*	*Others*
2009	459	445	162	190	133
2010	366	359	118	121	120
2011	438	432	142	156	134
2012	428	445	178	128	139
2013	401	387	110	128	149
2014	507	489	145	185	159
2015	468	487	157	150	180
2016	566	572	199	190	183

Issue 26

62. The causes of homelessness vary: economic reasons, such as loss of employment/failure of business; personal reasons, such as subsistence addictions and/or diseases; disqualification for Basic Livelihood Security Benefits; discharge from welfare facilities; absence of support from families and neighbours; and lack of information on welfare service.

63. Since the enforcement of the *Act on Support for Welfare of Homeless*, programs and manuals were developed to adapt to different needs of homeless people at each type of facility. In February 2016, the First Comprehensive Plan for Homeless was established in February 2016. Preparations are underway for its implementation, including building action plans, conducting a nationwide survey for protection of the homeless, and making amendments to the relevant laws.

64. Three types of residential facilities, self-support, rehabilitation, and medical care, are provided to the homeless. Those who are ready to be self-reliant are provided with assistance to move into public rental housings. Stronger support has been put in place to help the homeless move out of the welfare facilities and take independent residence and to be ultimately reintegrated into and settle down in the society. 7,265 homeless persons are living in 57 facilities, as of June 2016.

65. Insecure and inadequate housing refers to structures which are not included in the definition of housing, such as cubbyholes, greenhouses, Gosiwon (small study rooms), inns, motels, not-for-accommodation facilities, etc. Approximately 400,000 households (2% of general households) are estimated to belong to this group. Supporting their housing prevents long-term and repeated homelessness. Reflecting their characteristics and needs in various support programs in housing, welfare, employment, and finances is expected to result in higher effectiveness.

66. A minimum housing standard for usability and adequacy includes size, number of rooms per function, availability of essential facilities such as kitchen and toilet, configuration, functionality and environmental aspects. Families who live in housings that fail to meet the minimum standard are supported by initiatives such as public rental housing, housing benefits, and financial assistance. The number of households living in substandard housing stands at 992,000 (5% of total households) as of 2014 and the figure is on a downward trend.

Issue 27

67. Under the *Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents*, forced evictions are prohibited unless full compensation has been made for the consequent loss, while a dispute settlement committee is to be established in the relevant local government, comprised of experts and civil organizations, for resolution of disputes between stakeholders, i.e. tenants vs. association of owners, association vs. members of the association. The Act also requires a property management and disposal plan to specify the planned date for the demolition of the existing building in order to help the residents prepare for eviction in advance. Measures such as raising the amount of compensation for business suspension are also being developed for tenants in commercial buildings, so as to protect them from forced eviction.

68. The Act also requires that a basic plan for maintenance and improvement of urban areas and residential dwelling to be circulated to the residents for 14 days or more. A property rearrangement plan must be notified to the residents in writing, presented to a briefing session for residents, and circulated to the residents for 30 days or more. These procedures ensure that affected residents are consulted prior to making policy decisions. An implementation plan, developed by the implementer, is also required to include a relocation plan for residents, which may include provision of temporary accommodations, and a dwelling and relocation plan for tenants. The Act further mandates an approving authority to review the appropriateness of the implementer's plan for relocating the tenants before giving the approval.

Issue 28

69. The National Water Quality Monitoring Network allows 24/7 continuous monitoring of pollutants flowing into major rivers and lakes, thereby preventing contamination incidents. Oil or chemical spills trigger water contamination warning, which is

communicated to local governments and water plants to take prompt actions, such as preventing intake disruptions and containing contaminants.

70. As of 2012, water supply rate reached 98% in urban areas but recorded 62.2% in rural areas. A phased project for development of residential water for rural areas and water supply for islands was undertaken in 2012-2016 with an investment of total KRW 1.3948 trillion, which increased the water supply rate in rural areas to 76% in 2016. In addition, a new 12-year nationwide project for replacing and renovating old water pipes will start in 2017 with a total budget of KRW 3.962 trillion. Currently 31% of the water pipes and 59% of the water treatment plants are past the 20-year mark, as the water supply networks rapidly aged since their installation in the 1970s and 1980s.

Issue 29

71. Some of the notable measures taken include increasing the cash pay-outs to the recipients of medical benefits in low income groups and expanding the coverage of prosthetic appliances and medical care expenses for disabled persons. In addition, the conventional National Basic Livelihood Security Scheme was restructured to the Tailored Benefits Scheme, increasing the number of medical benefits recipients from 1.45 million to 1.53 million and expanding the budget from KRW 5.5 trillion to KRW 6.6 trillion in 2015. Meanwhile, the payment for psychiatric care has been increased as well as for meals for neonates, infants, ICU patients, and postnatal mothers. Medical benefits scheme has also been adjusted to allow the recipient to receive post-operative inpatient care in their communities. With health counselling and, if needed, welfare counselling services offered to over 100,000 beneficiaries a year, the health score of the participants under the case management improved from 52.5 before intervention to 62.4 after intervention in 2016.

72. Medical benefits scheme covers the diagnosis and treatment of the four major diseases and exempts copayments for a pre-defined list of diseases. In 2015, 12 diseases including congenital heart disease were added to the exemption list; in 2016, extremely rare diseases and unspecified rare diseases were added; and in 2017, three diseases including lung and small bowel transplantation and severe epilepsy were added. Furthermore, coverage of dentures and dental implants was expanded in 2016 from ages70 or above to ages 65 or above, while assuring 100% coverage of pregnancy and delivery care.

73. The Government has strengthened essential healthcare coverage for each life cycle stage. The changes in 2016 include: reducing the level of copayment for caesarean sections, covering the costs of sonography, increasing financial assistance for high-risk pregnancies and deliveries, fully covering the treatment of tuberculosis, expanding the coverage of medical supplies for patient safety, covering the costs of prosthetic devices for persons with disabilities, and providing financial assistance for portable oxygen concentrators. Furthermore, the financial burden of dental care for seniors was alleviated with the expansion of coverage for dentures and dental implants in July 2016 from ages 70 or above to ages 65 or above. As a result, approximately 400,000 persons received health insurance for full dentures, 550,000 persons for partial dentures, and 520,000 persons for implants under the expanded coverage. In addition, with a strong policy focus in 2013-2016 for expansion of national health insurance coverage for the four major severe diseases (cancers, heart failures, cardiovascular diseases, and rare and intractable diseases), a total of 672 items have been added to the coverage list. The new coverage has shifted total KRW 765.7 billion from uninsured to insured healthcare expenses.

Issue 30

74. The age-appropriate sex education programme templates have been developed and disseminated in February. Elementary, middle and high schools are to provide 15 or more units of sex education programme for each grade level based on the template. The programme designed for middle and high school students includes information on contraception — the need for contraception, different types and methods of contraception, and instructions for right use. The focus is to help students develop healthy values toward

sex by offering systematic and comprehensive sex education as part of the school curriculum. The education on contraception in secondary school has contributed to helping students avoid unwanted pregnancies, have respect for life and develop a sense of sexual responsibility.

75. From 2016, all girls aged 12 or older are eligible for free vaccination against cervical cancer, and health counselling services for teenage girls are carried out twice a year. At age 20, they receive support for the cervical cancer screening. In addition, all prenatal women and girls are financially supported for their obstetric care and delivery, with pregnant girls receiving an extra KRW 500,000. For girls aged 11-18 in low-income families, free sanitary kits are provided starting from 2016.

76. There are no official statistics on the prevalence of teenage pregnancies. According to the 2015 survey by Statistics Korea, 0.08% of the adolescent girls gave births and teenage births accounted for 0.5% of the total births in the country.

Issue 31

77. Under the *Act on the Establishment and Operation of Private Teaching Institutes and Extracurricular Lessons*, superintendents in the municipal and provincial offices of education may determine the operating hours of cram schools in their jurisdictions within the range set forth by the relevant ordinance, taking into consideration their impact on school learning and students' health. Most of the municipal and provincial offices of education limit cram school classes after 21:00-22:00 on weekdays.

78. While it is difficult to quantify the actual impact of the cut-off on students' health, it is believed to substantially protect students' rights to health and sleep.

Issue 32

79. The *Act on the Normalization of Public Education*, enacted in May 2014, has contributed to regulating the practices of pre-studying in schools and addressing various elements of school classes, assessments, and college entrance examination that trigger pre-studying, while creating a normalized environment for practicing regular curriculum. The Act has also helped to create a consensus between teachers and parents towards abolition of the pre-studying and increased satisfaction with school education. In the 2016 survey conducted by Centre for Prevention of Pre-Studying, 91.1% and 90.1% of the respondent teachers said that students' focus during class was improved and the number of academic contests was reduced, respectively. 89% and 76.8% of the parent respondents said that academic burden has decreased and that dependency on privately funded tutoring was reduced, respectively.

Issue 33

80. As Korea has been having a growing multicultural population over a short period of time, currently there is the need for reshaping the existing integration policy that has been focusing on those who entered Korea to find a domicile such as immigrants by marriage. The 2015 Research on Indicators of Cultural Diversity found that the Korean society has a low level of acceptance of minority cultures and identified as a key challenge an improvement of social acceptance of diverse cultures. The Government continues to expand and promote education on multiculturalism targeting different sectors of the society.

81. Moreover, the Government ratified the UNESCO's Convention on Cultural Diversity in 2010, and enacted the *Act on Protection and Promotion of the Diversity of Cultural Expressions* for domestic implementation. The Government also expands its efforts to provide education for protection and promotion of cultural diversity; to run programs to facilitate mutual cultural exchange and cultural expressions; and to foster an inclusive culture across the society towards cultural diversity.

Issue 34

82. The Internet Newspaper Committee was set up in December 2012 in response to a dramatic increase in the number of online news media and a steady stream of complaints from the users regarding sensationalism in reporting and exposure of the youth to harmful advertisements. In its promotion of self-regulation of online news reports and advertisements, the Committee complements the limitations of the existing public regulations on online media. The number of online news media committed to self-compliance increased from 67 in 2012 to 255 in 2016. The number of reviews conducted by the Committee increased from 742 to 11,273 during the same period.

83. To raise effectiveness of the self-regulation, the Committee delivers its decision to the relevant media. The Committee also publishes its statistics and decisions on its website to ensure higher awareness and credibility.

Issue 35

84. The Basic Plan for National Science and Technology Development spans from 2013 to 2017, and is currently under way. The science and technology ODA aims to support developing countries' acquisition of sustainable knowledge and experience in S&T sector with the projects on operating S&T centres and conducting joint research. The S&T centres are currently working on developing water purification system, energy sources and processed agricultural products, and renewable energy and local products. The Global Technology Sharing Centre has been in operation since December 2014, in order to assist the centres. Also, joint research projects have been conducted in collaboration with the research institutes and universities of developing countries. The expenditures in the field increased by 30.4%, from KRW 11,609 billion in 2013, when the Basic Plan for National Science and Technology Development was first introduced, to KRW 15,142 billion in 2017.

Issue 36

85. The Government has put various policy initiatives in place to close the digital divide and to facilitate the use of the Internet by the elderly and disadvantaged and marginalized groups, including developing/distributing communication devices, improving access to information, and providing IT education. Dissemination of communication aid devices to the elderly and persons with disabilities has started in 2003 and a total of 54,530 devices have been distributed as of 2016. Used personal computers have also been collected/recycled for donation to disadvantaged groups in Korea (318,000 units) and developing countries (43,000 units across 75 countries).

86. As for improving IT accessibility, several initiatives are being introduced to promote age- and disability-friendly websites, along with other efforts for standardization and development of certification schemes for web accessibility. A national accessibility standard for mobile applications was established in October 2016 amid the increasing use of mobile devices. Diagnostic evaluation and developer training on accessibility are underway.

87. In an effort to increase the use and accessibility of the IT technology in the UN, the Government has opened Accessibility Centre in the UN Headquarters, equipped with 131 communication aid devices for persons with disabilities and visitors.

88. IT literacy programs for the elderly, persons with disabilities, low-income households and farmers and fishers have started in 1999 in forms of group education, at-home classes, and online one-on-one training. A total of 4.2 million people have received the education to date. Consequently, the use of the Internet by the disadvantaged and the marginalized has increased from 24.9% in 2004 to 44.3% in 2010 and 63.4% in 2016. IT contests have also been organized since 2003 to engage this particular group of people to stir interests in the literacy programs and to share the idea of closing the digital divide.